

#JFW

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,931	03/03/2004	Gerald Horn	114711-014

CONFIRMATION NO. 4134

Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, IL 60690-1135

## FORMALITIES LETTER



\*OC000000012747527\*

Date Mailed: 05/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o)). See Figure(s) 17A-22B.

SUMMARY OF FEES DUE:

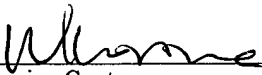
Total additional fee(s) required for this application is **\$65** for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

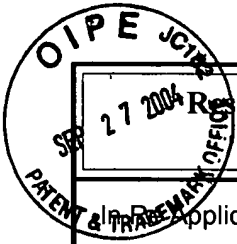
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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
114711-014

In Response Application Of: **Horn et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/791,931	March 3, 2004	Unknown	24573	3764	4134

Invention: **FITNESS SUIT**

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
March 24, 2004  
*Date*

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.

☐ \_\_\_\_\_ verified small entity declaration(s)

☐ is/are attached.

09/28/2004 MBIZUNES 00000067 10791931

☐ was/were filed on \_\_\_\_\_

02 FC:2252

210.00 0P

☐ A separate request for refund.

☒ Other (list):

Submission of Drawings in Response to Notice to File Missing Parts (2 pgs.);  
Informal Drawings (22 sheets);  
Return receipt postcard.

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
114711-014

In Re Application Of: **Horn et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/791,931	March 3, 2004	Unknown	24573	3764	4134

Invention: **FITNESS SUIT**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$65.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: July 24, 2004 until: September 24, 2004  
*Date Date*

Total time extension fees **\$210.00**

Total fees due **\$275.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
114711-014

In Re Application Of: **Horn et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/791,931	March 3, 2004	Unknown	24573	3764	4134

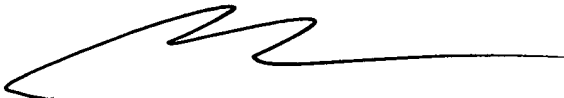
Invention: **FITNESS SUIT**

TO THE COMMISSIONER FOR PATENTS:

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The fee of **\$275.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-1818**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-1818**



*Signature*

**Robert M. Barrett**  
Reg. No. 30,142  
**BELL, BOYD & LLOYD LLC**  
P.O. Box 1135  
Chicago, IL 60690-1135  
Phone: 312-807-4204

Dated: **September 24, 2004**

I certify that this document and fee is being deposited on **09-24-2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



*Signature of Person Mailing Correspondence*

**Karin Barrett**

*Typed or Printed Name of Person Mailing Correspondence*

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Horn et al.  
Appl. No.: 10/791,931  
Conf. No.: 4134  
Filed: March 3, 2004  
Title: FITNESS SUIT  
Art Unit: 3764  
Examiner: Unknown  
Docket No.: 114711-014

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF DRAWINGS IN RESPONSE TO NOTICE  
TO FILE MISSING PARTS**

Sir:

This submission is submitted in response to the Notice to File Missing Parts dated May 24, 2004.

REMARKS

Applicants are submitting herewith Figures 1-22B on 22 sheets in response to the Notice to File Missing Parts mailed on May 24, 2004. Applicants believe that the drawings as submitted are responsive to the Patent Office's comments as indicated in the Notice. Therefore, Applicants believe that the drawings are in compliance with the Notice and thus should be accepted and entered by the Patent Office.

If the Patent Office should have any further questions regarding the submission of drawings for this case, Applicants kindly request that the undersigned attorney of record be contacted directly in an attempt to bring a prompt resolution to this matter.

Accordingly, Applicants respectfully request an early and favorable examination of the above-referenced patent application.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Robert M. Barrett  
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Phone: (312) 807-4204

Dated: September 24, 2004